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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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OUR FILE NO.

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March 26, 1993

2216-001

**HAND DELIVERED**

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Table of Allotments  
New Boston, Texas

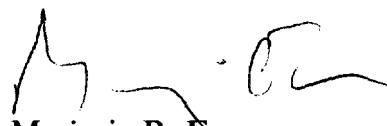
**Petition for Rulemaking**

Dear Ms. Searcy:

Enclosed is an original and five (5) copies of a Petition for Rulemaking for New Boston, Texas which we request that you accept for filing on behalf of our client, Louis M. Basso, III.

Should the Commission have any questions, kindly direct them to the undersigned.

Sincerely,



Marjorie R. Esman

MRE/bgc  
Enclosures  
cc: Louis M. Basso, III

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Before the

**FEDERAL COMMUNICATIONS COMMISSION**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Washington, D.C. 20554**

In the Matter of )  
 )  
Amendment of Section 73.202(b) ) RM-  
Table of Allotments, )  
New Boston, Texas )

**PETITION FOR RULEMAKING**

Louis M. Basso, III ("Basso"), by his attorneys and pursuant to Section 1.401 et seq. of the Commission's Rules, hereby petitions the Commission to amend Section 73.202(b) of the Table of FM Allotments, to add Channel 236A for use at New Boston, Texas. In support whereof, the following is shown:

Frequency studies undertaken on behalf of Basso demonstrates that Channel 236A may be added at New Boston, Texas, in accordance with the Commission's minimum distance separation requirements as specified in Section 73.207 of the Commission's Rules. See Technical Statement, attached hereto as Exhibit 1. For purposes of his study, Basso located an area within which transmitters may be located for city-grade service at New Boston.

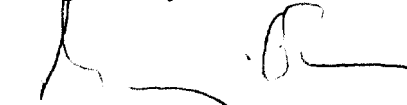
The proposed service is in the public interest because it will provide an additional radio station, the second FM service, licensed to New Boston. New Boston will thereby gain an additional media voice. As shown in the attached Technical Statement, the proposed is fully consistent with the Commission's Rules including Section 73.207 and 73.315.

New Boston is an incorporated community according to the 1990 census. It therefore qualifies as a licensable community under Commission standards. Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88, 101 (1982).

Basso will file an application for a construction permit to build an FM station at New Boston upon adoption of his proposal by the Commission. Upon receipt of a construction permit, Basso promptly will construct the station and commence operation.

In view of the above, Louis M. Basso, III, respectfully requests that the Commission amend the FM Table of Allotments to add Channel 236A at New Boston, Texas.

Respectfully submitted,



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MARJORIE R. ESMAN  
HARDY AND CAREY  
111 Veterans Boulevard  
Suite 255  
Metairie, LA 70005  
(504) 830-4646  
Attorneys for Louis M. Basso, III

Dated: March <sup>25</sup>\_\_, 1993

**EXHIBIT 1**

TECHNICAL STATEMENT  
IN SUPPORT OF  
A PETITION FOR RULE MAKING  
TO AMEND THE FM TABLE OF ALLOTMENTS  
LOUIS M. BASSO, III  
NEW BOSTON, TEXAS

This technical statement and associated exhibits have been prepared on behalf of Louis M. Basso, III (herein "Petitioner"), in support of a Petition for Rule Making requesting amendment of 47 CFR 73.202(b) by the allotment of channel 236A at New Boston, Texas. Operations with full class A facilities from the site proposed herein would provide estimated primary FM service (60 dBu, 1.0 mV/m) over an area of 2,510 square kilometers encompassing an estimated population of 62,500 persons.

Proposed Change in FM Table of Allotments

Petitioner herein requests modification of the FM Table of Allotments, 47 CFR 73.202(b), by the allotment of channel 236A at New Boston, Texas. The proposed change is as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
New Boston, Texas	278A	236A, 278A

Compliance with FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to the use of channel 236A at New Boston, Texas. The following geographic coordinates of an assumed site approximately 5.2

kilometers east of New Boston have been used in this study:

33° 27' 29" North Latitude  
94° 21' 34" West Longitude.

The predicted 70 dBu (3.16 mV/m) city grade contour extends approximately 14.9 kilometers along the direct bearing (272° T) through New Boston. Therefore, the entire city of New Boston is well within the predicted city grade contour.

As can be seen in the tabulation in Figure 1, the proposed site meets all separation requirements contained in 47 CFR 73.207 to all existing, authorized and proposed stations and allotments. From this site, the operation proposed herein is predicted to provide city-grade (70 dBu, 3.16 mV/m) coverage over all of New Boston in accordance with 47 CFR 73.315.

#### Population and Area

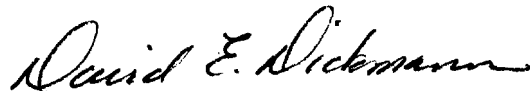
The channel 236A facility, as assumed herein, would provide predicted 60 dBu or better service over an estimated area of 2,510 square kilometers within which an estimated 62,500 persons reside. The population to be served within the predicted 60 dBu contour was determined by a computer program which adds the populations of census districts having centroids that lie within the contour. The 1980 census was employed. The land area within the 60 dBu contour was determined

Page 3  
New Boston, Texas

using a root mean squared method of calculation.

Conclusion

Channel 236A can be allotted at New Boston, Texas in compliance with all applicable Commission rules. Therefore, Petitioner requests the allotment of channel 236A at New Boston, Texas and states his intent to apply for the channel, if allotted.



David E. Dickmann

du Treil, Lundin & Rackley, Inc.  
240 N. Washington Blvd., Ste. 700  
Sarasota, Florida 34236  
(813) 366-2611

March 23, 1993

Figure 1

TECHNICAL STATEMENT  
IN SUPPORT OF  
A PETITION FOR RULE MAKING  
TO AMEND THE FM TABLE OF ALLOTMENTS  
LOUIS M. BASSO, III  
NEW BOSTON, TEXAS

FM SEPARATION STUDY

Job Title :New Boston, Texas

Separation Buffer 32 km

FCC DB Date : 02/23/93

Channel 236A ( 95.1 MHz)

Coordinates : 33-27-29 94-21-34

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KWKHFM LIC	Shreveport LA	BLH880314KB	233C 94.5	100. 334.0	32-40-13 93-55-59	155.5	96.02	95
KSBH CPM	Coushatta LA	BMPH910118IE	235C3 94.9	25. 100.0	31-51-34 93-13-00	148.6	207.17	89
ALC	Shawnee OK	Docket84-508	236C 95.1	.0	35-15-17 96-22-35	317.7	272.31	226
KMTB CP	Murfreesboro AR	BPH910320IB	237A 95.3	4.7 110.0	34-03-07 93-51-45	34.7	80.38	72
KMTB LIC	Murfreesboro AR	BLH830531AB	237A 95.3	3.00 91.0	34-05-44 93-41-31	40.8	93.94	72
KLSQ CP	Gilmer TX	BPH920521IE	237C3 95.3	8.0 DA 174.0	32-38-39 94-54-49	209.9 SS	104.06	89
KCXY PADD	East Camden AR	RM8069	237C1 95.3	.0	33-30-14 92-48-38	87.5	144.06	133
KNCBFM CP	Vivian LA	BPH871022MB	239A 95.7	3.00 87.0	32-54-07 93-58-58	150.3	70.99	31